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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,102	12/02/2003	Jens Barrenscheen	J0658.0018	4397
38881 7590 08/30/2007 DICKSTEIN SHAPIRO LLP 1177 AVENUE OF THE AMERICAS 6TH AVENUE NEW YORK, NY 10036-2714			EXAMINER LEE, CHUN KUAN	
			ART UNIT 2181	PAPER NUMBER
			MAIL DATE 08/30/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Advisory Action  
Before the Filing of an Appeal Brief**

Application No.

10/727,102

Applicant(s)

BARRENSCHEEN ET AL.

Examiner

Chun-Kuan (Mike) Lee

Art Unit

2181

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 16 August 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.  
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).


4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☒ Applicant's reply has overcome the following rejection(s): See Continuation Sheet.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: \_\_\_\_\_.  
Claim(s) objected to: \_\_\_\_\_.  
Claim(s) rejected: 2-4, 6-20 and 22-25.  
Claim(s) withdrawn from consideration: \_\_\_\_\_.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
Please see Continuation Sheet below.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_  
13. ☐ Other: \_\_\_\_\_.

  
**ALFORD KINDRED  
PRIMARY EXAMINER**

Applicant's arguments filed 08/16/2007 have been fully considered but they are not persuasive.

In response to applicant's arguments, on page 9, 3rd paragraph, regarding the independent claim 23 rejected under 35 U.S.C. 103(a) that the combination of references does not teach/suggest a single second communication means where the second semiconductor chip transfers a load control data and pilot data; applicant's arguments have fully been considered, but are not found to be persuasive.

Please note that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

It appears that the applicant's arguments are directed towards claim limitations of "a single, second data line via which the first semiconductor chip transmits the load control data and pilot data which control the second semiconductor chips," wherein the examiner relied on the references as following:

AAPA teaches the first semiconductor chip (Drawings, MC of Fig. 1) transmits the load control data (e.g. transfer via load control data line DATA2 of Fig. 1) and pilot data (Drawings, DATA1a of Fig. 1) which control the second semiconductor chips (Drawings, PC of Fig. 1) (Specification, [0002] and [0008]-[0009]).

Balasundram teaches a single, second data line ([0006]-[0009]) for transferring two or more data (e.g. load control data and pilot data) utilizing time division multiplexing (TDM) technique.

In response to applicant's arguments, on page 9, <sup>4th TLM 08/27/2007</sup>~~3rd~~ paragraph, regarding the independent claim 23 rejected under 35 U.S.C. 103(a) that the combination of references does not teach/suggest a first portion of the data transmitted is intended for a first semiconductor chip and a second portion of the data transmitted is intended for a second semiconductor chip; applicant's arguments have fully been considered, but are not found to be persuasive.

It appears that the applicant's arguments are directed towards claimed limitations of "a first portion of data transmitted in a frame is intended for a first, second semiconductor chip, and a second portion of data transmitted in this frame is intended for a second, second semiconductor chip" wherein Balasundram does teach/suggest the above claimed limitation as following :

a first portion of data transmitted in a frame is intended for a first, second semiconductor chip, and a second portion of data transmitted in this frame is intended for a second, second semiconductor chip ([0006]-[0009] and [0046]), as the plurality of data (e.g. first and second portion of data) is transmitted in the frame utilizing TDM technique between the single central transmitter and the plurality of receivers (e.g. the first, second semiconductor chip and the second, second semiconductor chip), wherein the first data directed towards the first receiver is received by the first receiver and ignored by the second receiver, and the second data directed towards the second receiver is received by the second receiver and ignored by the first receiver.

As per claims 2-4, 6-20 and 22, dependent claims 2-4, 6-20 and 22 are unpatentable at least due to direct/indirect dependency on the rejected independent claims 23.

Entering of applicant's amendments is to clarify the claims for the purpose appeal, wherein the amendments include correction of misspelling of in claims 23 and 25, and clarifying the dependency of claims 6-9 and 22 to be properly dependent on independent claim 23, as rejected in the preceding office action.

In responding to all applicant's arguments, the examiner will maintain his position and the current rejection of record.

Continuation of 5. Applicant's reply has overcome the following rejection(s): Rejection of claims 6-9 and 22 under 35 U.S.C. 112 second paragraph.

TLM 08/27/2007